

IN THE HIGH COURT OF BOMBAY AT GOA

CIVIL REVISION APPLICATION NO. 11 OF 2005

SHRI ANTONIO JESUS FILOMENO DIAS
AND ANR.,

....Petitioners

Versus

SHRI JOSE ANTONIO
DIAS(SIN.EXPIRED) THROUGH L.RS.,

....Respondents

Shri V. G. P. Duple, Advocate for the applicants.

Shri C. A. Coutinho, Advocate for the respondents No.1 to 6.

Coram:- R. M. LODHA, J.

Date:- 21st September, 2005

P.C.

Heard Mr. G.V.P. Duple, the learned Counsel for the applicants and
Mr. C.A. Coutinho, the learned Counsel for the respondents No.1 to 6.

The trial Court cannot be said to have committed any error of jurisdiction in rejecting the application for rejection of the plaint. The bar under Section 31(2) of the Goa, Daman and Diu, the Mundkars (Protection from Eviction) Act, 1975 is not attracted. Obviously, if any question arises or issue/s are raised that are required to be determined by the Mamlatdar or the Collector as the case may be, the Civil Court shall have to refer the said issue/s to the Mamlatdar or the Collector as the case may be under Section 32 of the Act of 1975.

No interference is called for.

The civil revision application is dismissed in limine.

ssm.